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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/390,532	09/03/1999	STEFAN SCHRADI	52435	7054

7590 08/23/2004

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EXAMINER	
NGUYEN, KEVIN M	
ART UNIT	**PAPER NUMBER**
2674	

DATE MAILED: 08/23/2004 11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/390,532	SCHRADI ET AL.	
	Examiner	Art Unit	
	Kevin M. Nguyen	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 July 2002*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *6-14* is/are allowed.

6)☒ Claim(s) *1-5* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *7/3/2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The amendment filed on 12/16/2002 is entered. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Drawings

2. The drawings were received on 12/16/2002. These drawings are acknowledged and approved.

Specification

3. The objection of abstract is withdrawn.

Claim Objections

4. The objection of claims 1-14 is withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich et al (US 6,009,355) in view of Volkel (US 6,104,399).

As to claim 1, Obradovich et al teaches a multimedia information and control system for automobile, the system comprising

[recited in lines 1-6 of claim 1]

Display interface 102 (the display unit, fig. 1) comprises a screen 209 which is displayed DASH-MOUNTED CONTROLS option 1103, INSTRUMENT PANEL option

1105, AUDIO SYSTEM option 1107, CLIMATE CONTROLS option 1109 and PREVIOUS option 1111 (fig. 11, col. 14, lines 41-44).

[recited in lines 6-12 of claim 1]

Control panel 205 (a control unit, fig. 2). Assuming that the user activates option 1105 after hearing the preview, in response processor 105 causes an "INSTRUMENT PANEL" screen to be displayed on screen 209. Such a screen is illustrated in FIG. 12. As shown in FIG. 12, the previous screen format is generally maintained in that it provides a view of the object (the instrument panel of the automobile in this instance) pertinent to the option which has been selected, along with displayed options for further selection thereunder (col. 14, lines 56-64).

Obradovich et al fails to teach the limitation recited in lines 12-18 of claim 1.

Volkel teaches a system for menu-driven instruction input comprising at least one instruction-selection list (menu), which includes a number of instruction and sub-selection lists (submenu), each submenu including instructions and further submenus (figs 1 and 2, abstract, lines 5-9).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify each Obradovich's display element 1103, 1105, 1107, 1109, 1111 including at least one instruction-selection list (menu), which includes a number of instruction and sub-selection lists (submenu), each submenu including instructions and further submenus, in view of the teaching in the Volkel's reference because this would increase the ease of operation, improve ergonomics as taught by Volkel (col. 2, lines 40-41).

As to claim 4, Obradovich et al teaches control panel 205 comprising at least one knob 205d (rotary actuator, fig. 2), and at least one switch 205c (fig. 2, col. 5, lines 49-67).

6. Claims 2, 3, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich et al in view of Volkel as applied to claim 1 above, and further in view of Forest (US 6,005,549).

As to claim 2, Obradovich et al and Volkel teach all of the claimed limitation, except for fading in a visual character on the display screen after a pictogram has been displaced out of the visible region of the display unit.

Forest teaches every 54 milliseconds the cursor (a visual character) polling timer expires (col. 49, lines 38-39), determines whether the current cursor hotspot location lies within any selectable region (col. 49, lines 43-44).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide Obradovich's display screen including every 54 milliseconds the cursor (a visual character) polling timer expires, determines whether the current cursor hotspot location lies within any selectable region, in view of the teaching in Forest's reference because this would provide the operator may expend considerable time memorizing and recalling where a particular symbol is located within a hierarchy of symbols as taught by Forest (col. 19, lines 5-8).

As to claim 3, Forest teaches every 54 milliseconds the cursor (a visual character) polling timer expires (col. 49, lines 38-39), determines whether the current cursor hotspot location lies within any selectable region (col. 49, lines 43-44).

As to claim 5, Forest teaches auditively by generating sound or changing the pitch or volume of an extant sound; tactilely by changing the surface (col. 39, lines 2-4).

Allowable Subject Matter

7. Claims 6-14 are allowed.

8. The following is a statement of reasons for the indication of allowable subject matter:

Obradovich et al, Volkel, and Forest, alone or in combination, do not teach or fairly suggest

"expanding the row of symbol fields (2, 3, 4, 5, 6) visible on the display unit at least one of start and end of said row in virtual fashion by invisible symbol fields (7, 8, 9, 10), for displacing pictograms onto these invisible symbol fields (7, 8, 9, 10) if a number of pictograms to be displayed exceeds a number of symbol fields (2, 3, 4, 5, 6) visible on the display unit."

These distinct features have been added to the sole independent claim 6 and render the above limitation are allowable.

Response to Arguments

9. Applicant's arguments filed 12/16/2002 have been fully considered but they are not persuasive.

10. In response to applicant's argument that claim 1 recites "the display unit is divided into symbol fields (2, 3, 4, 5, 6) arranged one next to the other in a row." This argument is not persuasive because Obradovich et al teaches display interface 102 (the display unit, fig. 1) comprises a screen 209 which is displayed DASH-MOUNTED

CONTROLS option 1103, INSTRUMENT PANEL option 1105, AUDIO SYSTEM option 1107, CLIMATE CONTROLS option 1109 and PREVIOUS option 1111 (fig. 11, col. 14, lines 41-44).

11. In response to applicant's argument that claim 1 recites "the control unit displays in a specific symbol field (2) each new pictogram which is to be displayed in the symbol fields (2, 3, 4, 5, 6) and displaces the pictograms which have already been displayed by one symbol field, without changing their order."

This argument is not persuasive because Obradovich et al teaches control panel 205 (a control unit, fig. 2). Assuming that the user activates option 1105 after hearing the preview, in response processor 105 causes an "INSTRUMENT PANEL" screen to be displayed on screen 209. Such a screen is illustrated in FIG. 12. As shown in FIG. 12, the previous screen format is generally maintained in that it provides a view of the object (the instrument panel of the automobile in this instance) pertinent to the option which has been selected, along with displayed options for further selection thereunder (col. 14, lines 56-64).

Volkel teaches a system for menu-driven instruction input comprising at least one instruction-selection list (menu), which includes a number of instruction and sub-selection lists (submenu), each submenu including instructions and further submenus (figs 1 and 2, abstract, lines 5-9).

These arguments are not persuasive because the combined teaching of Obradovich et al and Volkel meet the claimed limitation above.

For these reasons, the rejections of claims 1-5 based on Obradovich et al, Volkel, and Forest have been maintained.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kevin M. Nguyen** whose telephone number is **703-305-6209**. The examiner can normally be reached on MON-THU from 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached on **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kevin M. Nguyen
Patent Examiner
Art Unit 2674

KN
August 20, 2004

RICHARD HJERPE 8/23/04
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600